

09/509775

412 Rec'd PCT/PTO 31 MAR 2000

FORM PTO-1390 (Modified) (REV 5-93)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			053466/0277	
				U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) Unassigned
INTERNATIONAL APPLICATION NO. PCT/JP98/04467	INTERNATIONAL FILING DATE October 2, 1998		PRIORITY DATE CLAIMED October 3, 1997	
TITLE OF INVENTION GANKYRIN				
APPLICANT(S) FOR DO/EO/US Jun FUJITA				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
1.	<input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.			
2.	<input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.			
3.	<input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).			
4.	<input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19 th month from the earliest claimed priority date.			
5.	<input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). <input checked="" type="checkbox"/> has been transmitted by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)			
6.	<input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).			
7.	<input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been transmitted by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> have not been made and will not be made.			
8.	<input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).			
9.	<input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).			
10.	<input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).			
Items 11. to 16. below concern other document(s) or information included:				
11.	<input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.			
12.	<input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.			
13.	<input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.			
14.	<input type="checkbox"/> A substitute specification.			
15.	<input type="checkbox"/> A change of power of attorney and/or address letter.			
16.	<input checked="" type="checkbox"/> Other items or information: Receipt of Microorganisms Deposit (2 pages)			

422 Rec'd PCT/PTO 31 MAR 2000

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50) Unassigned		INTERNATIONAL APPLICATION NO. PCT/JP98/04467		ATTORNEY'S DOCKET NUMBER 053466/0277																																																																									
17. <input checked="" type="checkbox"/> The following fees are submitted:																																																																													
Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO \$840.00																																																																													
International preliminary examination fee paid to USPTO (37 CFR 1.482) \$670.00																																																																													
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$690.00																																																																													
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Surcharge of \$130.00 for furnishing the oath or declaration later than 20 Months from the earliest claimed priority date (37 CFR 1.492(e))																																																																													
<table border="1"> <thead> <tr> <th>Claims</th> <th>Number Filed</th> <th>Included in Basic Fee</th> <th>Extra Claims</th> <th>Rate</th> <th></th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>34</td> <td>-</td> <td>20</td> <td>= 14</td> <td>x \$18.0</td> </tr> <tr> <td>Independent Claims</td> <td>19</td> <td>-</td> <td>3</td> <td>= 16</td> <td>x \$78.0</td> </tr> <tr> <td colspan="4">Multiple dependent claim(s) (if applicable)</td> <td colspan="2">\$260.0</td> </tr> <tr> <td colspan="6"> TOTAL OF ABOVE CALCULATIONS = \$2340.00 </td> </tr> <tr> <td colspan="6"> Reduction by ½ for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28). </td> </tr> <tr> <td colspan="6"> SUBTOTAL = \$2340.00 </td> </tr> <tr> <td colspan="6"> Processing fee of \$130.00 for furnishing English translation later the 20 months from the earliest claimed priority date (37 CFR 1.492(f)). + </td> </tr> <tr> <td colspan="6"> TOTAL NATIONAL FEE = \$2340.00 </td> </tr> <tr> <td colspan="6"> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + </td> </tr> <tr> <td colspan="6"> TOTAL FEES ENCLOSED = \$2340.00 </td> </tr> <tr> <td colspan="6"> Amount to be: refunded \$ charged \$ </td> </tr> </tbody> </table>						Claims	Number Filed	Included in Basic Fee	Extra Claims	Rate		Total Claims	34	-	20	= 14	x \$18.0	Independent Claims	19	-	3	= 16	x \$78.0	Multiple dependent claim(s) (if applicable)				\$260.0		TOTAL OF ABOVE CALCULATIONS = \$2340.00						Reduction by ½ for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).						SUBTOTAL = \$2340.00						Processing fee of \$130.00 for furnishing English translation later the 20 months from the earliest claimed priority date (37 CFR 1.492(f)). +						TOTAL NATIONAL FEE = \$2340.00						Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +						TOTAL FEES ENCLOSED = \$2340.00						Amount to be: refunded \$ charged \$					
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b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$2340.00 to the above fees. A duplicate copy of this sheet is enclosed.																																																																													
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u> . A duplicate copy of this sheet is enclosed.																																																																													
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																																																																													
SEND ALL CORRESPONDENCE TO: Foley & Lardner Washington Harbour 3000 K Street, N.W., Suite 500 Washington, D.C. 20007-5109																																																																													
SIGNATURE <u>Stephen B. Mach</u> <u>Reg. No. 35,264</u> NAME HAROLD C. WEGNER																																																																													
REGISTRATION NUMBER 25,258																																																																													

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422 Rec'd PCT/PTO 31 MAR 2000

DEPOSITOR

Name: Jun Fujita

Address: Manhaimu Kamogawa 301,
14, Yoshidakawara-machi,
Sakyo-ku, Kyoto-shi,
Kyoto 606-8305
Japan

BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF
MICROORGANISMS FOR THE PURPOSES OF
PATENT PROCEDURE

RECEIPT IN THE CASE OF AN ORIGINAL
DEPOSIT
issued pursuant to Rule 7.1 by the
INTERNATIONAL DEPOSITORY AUTHORITY
identified at the bottom of this page.

I. IDENTIFICATION OF THE MICROORGANISM

Identification reference given by the

(Deposition Number)

DEPODITOR: Escherichia coli DH5 α [pBS-t4-11]

FERM BP-6128

II. SCIENTIFIC DESCRIPTION AND/OR TAXONOMIC DESIGNATION

The microorganism identified under I above was accompanied by:

- a scientific description
- a proposed taxonomic designation

(Mark with a cross where applicable)

III. RECEIPT AND ACCEPTANCE

This International Depositary Authority accepts the
microorganisms identified under I above, which was received by it on
September 29, 1997 (Date of the original deposit)¹.

IV. RECEIPT OF TRANSFER

This International Depositary Authority accepted the
microorganisms identified under I above, on (Date of the
original deposit), and accepted a request for transfer to a deposition
under Budapest treaty from the original deposition, on
(Transferred from FERM P deposited on

V. INTERNATIONAL DEPOSITORY AUTHORITY

National Institute of Science and Human-Technology

Agency of Industrial Science and Technology

Director General Shinichi Ohashi

1- 3, Higashi 1 chome, Tsukuba-shi,
Ibaraki-ken, 305, Japan

September 29, 1997

特許手続上の微生物の寄託の国際的承認 に関するブタベスト条約

下記国際寄託当局によって規則7.1に従い
発行される。

原寄託についての受託証

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

RECEIPT IN THE CASE OF AN ORIGINAL
DEPOSIT

issued pursuant to Rule 7.1 by the
INTERNATIONAL DEPOSITORY AUTHORITY
identified at the bottom of this
page.

氏名（名称）

藤田 道

寄託者

殿

あて名

京都府京都市左京区吉田河原町14、マンハイム鴨川301号

1. 微生物の表示

(寄託者が付した識別のための表示)

Escherichia coli DH5 α [pBS-t4-11]

(受託番号)

FERM BP - 6128

2. 科学的性質及び分類学上の位置

1 案の微生物には、次の事項を記載した文書が添付されていた。

- ## ■ 科学的性質 ■ 分類学上の位置

3. 受領及び受託

本国際寄託当局は、平成9年9月29日(原寄託日)に受領した1欄の微生物を受託する。

4. 移管請求の受領

本国際寄託当局は、 年 月 日（原寄託日）に1種の微生物を受領した。
そして、 年 月 日に原寄託よりブダペスト条約に基づく寄託への移管請求を受領した。

5. 國際寄託當局

通商産業省工業技術院生命工学工業技術研究所

National Intellectual Property Bioscience and Human-Technology
Agency of Industrial Science and Technology

所長 大箸信一

Dr. Shambhu Chakraborty Director-General

あて名：日本国茨城県つくば市東1丁目1番3号（郵便番号305）
1-3, Higashi 1 chome Tsukuba-shi Ibaraki-ken
305, JAPAN

平成 9年(1997) 9月29日